

**MEMO ENDORSED**

Charles H. Kaplan  
 Partner  
 Direct Dial: 646.218.7513  
 CKaplan@hodgsonruss.com

USDC SDNY  
 DOCUMENT  
 ELECTRONICALLY FILED  
 DOC #:  
 DATE FILED: 1/14/25

January 13, 2025

VIA ECF

The Honorable Valerie E. Caproni  
 United States District Court  
 40 Foley Square, Room 240  
 New York, NY 10007

**Re: *Milton Williams v. Guy Harvey, Inc.*  
 24-CV-07259 (VEC)**

Dear Judge Caproni:

We are counsel to Defendant Guy Harvey, Inc. in the above-referenced action. In this case, Plaintiff Milton Williams has alleged that Defendant violated Title III of the Americans With Disabilities Act because Defendant's website is purportedly not accessible to blind and other visually impaired persons.

Dr. Guy Harvey is a vocal advocate for marine conservation and a marine wildlife artist. The Guy Harvey Foundation collaborates with local and international organizations to conduct scientific research and host educational programs aimed at better understanding and conserving the ocean environment. Dr. Harvey's depictions of sea life, especially of sportfish such as marlin, are popular with sportfishermen and have been reproduced in prints, posters, T-shirts, clothing, and other consumer items. Defendant markets these products.

With the agreement of Plaintiff's counsel, we write to request that the Court adjourn the Friday, January 24, 2025 Initial Pretrial Conference in this action to Friday, March 21, 2025. That would result in the Civil Case Management Plan and Scheduling Order being due on Thursday, March 13, 2025, instead of on Thursday, January 16, 2025. We request this extension because Defendant, which is based in Florida, did not learn about this action until last month, and Defendant was only able to engage me last week. By a Waiver Of The Service Of Summons that I signed on January 6, 2025 in this action, Defendant's answer or motion in response to the Complaint is not due until March 7, 2025.

In addition, I will have very little time until mid-February 2025 to attend to this matter. One of my adult daughters is scheduled to have major surgery later this month, and my wife and I are assisting her and her husband with the care of their young children. We expect that these family obligations will remain pressing for the next four to six weeks. In addition, Defendant, whose commercial activities are modest, wants to work with Plaintiff in an effort to settle this

The Honorable Valerie E. Caproni  
January 13, 2025  
Page 2

matter before Defendant must file an answer or a motion. Defendant also wishes to avoid the need to expend funds on legal fees for my preparing and filing a Civil Case Management Plan and a Scheduling Order with Plaintiff's counsel if this matter can be resolved without further proceedings.

This is the first request for this extension. As noted above, Plaintiff's attorneys have agreed to this request. In view of all of these circumstances, we respectfully submit that the Court should grant this reasonable extension request. Thank you very much for your consideration.

Respectfully submitted,

HODGSON RUSS LLP



By: \_\_\_\_\_  
Charles H. Kaplan

cc: Plaintiff's Counsel (via ECF)

Application GRANTED. The initial pretrial conference ("IPTC") currently scheduled for January 24, 2025 at 10:00 A.M. is ADJOURNED to March 21, 2025 at 10:00 A.M. in Courtroom 20C of the Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, New York, 10007. The parties' joint letter and proposed case management plan must be filed by no later than March 13, 2025.

Per the Notice of Initial Pretrial Conference at Dkt. 3, Defendant's time to respond to the Complaint is STAYED until the date of the IPTC.

SO ORDERED.



1/14/25

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE